



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24273 of 2016

Arising Out of PS.Case No. -254 Year- 2015 Thana -RAJNAGAR District- MADHUBANI

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Anil Kumar Jha

.... Petitioner/s

Versus

1. State of Bihar,
2. Pratibha Jha

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Shantanu Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-05-2016 Heard learned counsels for the petitioner and

the State.

The petitioner being the husband of the daughter of the informant is apprehending arrest in a case registered for the offence punishable under Sections 498A and 379 of the Indian Penal Code.

The basic accusation is of torture.

On instructions, it is submitted that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 10 of the petition which reads as follows:

“That the petitioner is husband and he is ready to keep his wife with all respect. ”

The petitioner has also filed Matrimonial Case No. 27 of 2016 for restitution of conjugal rights.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Madhubani in connection with Raj Nagar P.S. Case No. 254 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to O.P. No. 2 and on her appearance the petitioner will take her to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities –
(i) if the matrimonial harmony is substantially restored or
(ii) if the O.P. No. 2 fails to appear before the learned

court below or (iii) if the O.P. No. 2 deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Anil/-

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